ment for defendant, B, being first reversed and the case remanded, and on a second appeal judgment for plaintiff, L, affirmed. The United States Circuit Court for the Northern District of Illinois refused to take jurisdiction of a bill to quiet title, maintaining that no federal question was involved, the statute in question neither forfeiting B's title to the mortgagor, nor interfering with her title acquired by possession. This decree was affirmed on appeal. The question of impairment of contract obligations has arisen, in this connection, in numerous ways. Without impairing such obligations, it is held, the remedy afforded by law may be changed. *Sturges* v. *Croninshield,* 4 Wheaton 122. But a law creating or extending the period of redemption in favor of the mortgagor and his judgment creditors passed subsequently to the execution of the mortgage is void. *Barnitz* v. *Beverly,* 163 U. S. 118; *Cargill* v. *Powers,* 1 Mich. 369. And a law extending the period of redemption from tax sale passed after the sale, but before the redemption period expired is void. *Robinson* v. *Howe,* 13 Wis. 380. But as to a stranger purchasing at foreclosure sale, a change in the law subsequent to the execution of the mortgage, does not work an impairment of the contract. *Hooker* v. *Burr,* 194 U. S. 415. See 36 AM. LAW REVIEW 70 as to the protection afforded contracts by the Federal Constitution.

EVIDENCE—CONFESSION—ADMISSION.—The defendant was indicted for the killing of her husband and before the trial and in the presence of witnesses she voluntarily made the following statement: "Shep [the deceased] is the cause of it. If he had behaved himself he would not be lying here dead. We had to do it to save ourselves." The lower court considered the statement a confession and charged upon it as such. *Held,* error, the said statement being properly an admission. *State* v. *Owens* (1904), — Ga. —, 48 S. E. Rep. 21.

It was not contended that the charge was unfair to the accused, nor that the charge would not have been similar had the statement been denominated an admission, but the decision is based on the very technical ground that the error consisted solely in the use of the word "confession" rather than of the word "admission." The court relies upon Greenleaf's definition of an admission (EVIDENCE, § 170), as well as upon the cases of *Dumas* v. *State,* 63 Ga. 600; *Covington* v. *State,* 79 Ga. 687; *Fletcher* v. *State,* 90 Ga. 468, which cases are cited to illustrate the proposition that criminal intent is a necessary requisite to every confession. But in these cases no confession was involved, but only an admission of minor facts which were incriminating in their character but which were, when explained, entirely consistent with the innocence of the accused. The court seems to confuse the main fact, which is the act constituting the body of the crime, and the minor facts. It is believed that the construction of confessions by the court is too narrow and the broader and more common view is best expressed in *State* v. *Porter,* 32 Oregon 135, wherein the court says, "Statements or declarations of the accused voluntarily made of such facts as necessarily involve the commission of a crime are admissions of guilt and may be properly denominated confessions; nor will they be reduced to the grade of admissions only by exculpatory

statements made in the same connection." See also, GREENLEAF, EVIDENCE, § 216; WHARTON, CRIMINAL EVIDENCE, § 626. Exculpatory statements made by an accused in connection with a confession are admissible with the confession. In fact, the whole of a confession must be taken together, so that the person making the statement may have the benefit of all qualifying and exculpatory statements therein. GREENLEAF, EVIDENCE, § 218; *State* v. *McDonnell,* 32 Vt. 491; *Morehead* v. *State,* 34 Ohio St. 212; *Corbett* v. *State,* 31 Ala. 329. But this does not reduce a confession to an admission, *State* v. *Porter,* supra. The jury is not obliged to accept a confession in its entirety but may reject such part as it believes to be untrue. *Parke* v. *State,* 48 Ala. 266; *State* v. *Novak,* 109 Iowa 717; *Commonwealth* v. *Hunton,* 168 Mass. 130; *Cook* v. *State,* 114 Ga. 523. Few cases are found wherein the term "confession" is more explicity defined than by Greenleaf, § 170; the courts usually adopting his definition without further elucidation. Few cases as well exclude exculpatory matter from the confession, or rather refuse to charge upon or submit a confession as such because of the exculpatory matter therein, but submit the whole to the jury leaving the weight thereof to the jury where it properly belongs. Here the accused confessed the crime but sought to excuse herself by alleging necessity. This was for the jury and, we believe, should have been submitted. In the principal case a vigorous dissenting opinion was filed.

EVIDENCE—LETTERS OF ADMINISTRATION—HOW FAR EVIDENCE OF WIDOWHOOD.—Plaintiff's husband was killed in a wreck caused by the alleged negligence of a street railway company, and plaintiff, as widow of deceased, was appointed administratrix, and in that capacity brings an action for the death of the deceased against defendants as receivers of the street railway company. Defendants claimed that plaintiff was not the lawful wife of the deceased and therefore not entitled to damages under the statute and offered to show that deceased had a lawful wife living other than plaintiff. This evidence was excluded at the trial as immaterial. *Held,* that such exclusion was error. *Phillips* v. *Heraty et al.* (1904), — Mich. —, 100 N. W. Rep. 186.

The claim has been made that letters of administration are prima facie evidence of death and it was so held in *Tisdale* v. *Connecticut Mutual Benefit Life Insurance Company,* 26 Iowa 170, 28 Iowa 12, but that such evidence is very weak and may be rebutted by slight evidence. On the same state of facts with the same plaintiff the United States Supreme Court held in *Mutual Benefit Life Insurance Company* v. *Tisdale,* 91 U. S. 238, that the granting of letters of administration afforded no legal evidence of death. The latter holding seems to be the correct one, for if otherwise it would open up an avenue of fraud in connection with life insurance policies that would be startling in its possible consequences. It would be easy to procure a policy for a large sum. In a year or two the person insured could disappear. Then letters of administration can be procured and the case is made. Similar unfortunate consequences will result in holding that granting letters of administration is conclusive evidence of widowhood. It might defeat the rights of heirs and the lawful widow and would be an easy way to forestall a prosecution for